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Michel Gillet

BEIERDORF 65

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EXAMINER

SIMONE, CATHERINE A

ART UNIT

PAPER NUMBER

1794

NOTIFICATION DATE

DELIVERY MODE

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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ADVISORY ACTION

Response to Arguments

1. Applicant's arguments filed 3/17/2008 have been fully considered but they are not persuasive.

Applicant argues “in view of the fundamental differences between the laminates of Murayama and Smith, some of which have been set forth above, the mere fact that both documents disclose laminates which are (or can be) used in bandages is clearly not sufficient to provide motivation to combine the teachings of these two documents...there is no motivation for one of ordinary skill in the art to combine the teachings of Murayama and Smith”.

This is not deemed persuasive. As previously pointed out, Murayama clearly teaches the structure of the elastic laminate as presently claimed. Specifically, Murayama teaches an elastic laminate comprising a first layer of an elastic polymer film and a second layer of an elastic textile sheet, built from elastic fibers, and the second layer carries a self-adhesive coating on a side which is opposite to a side which faces the first layer (see col. 8, lines 1-9 and lines 30-34). Smith was merely cited to teach a polymer film/textile laminate wherein the textile sheet and the polymer film are macroembossed. Smith teaches bonding a polymer film to a textile sheet by embossing, i.e. macroembossing (page 1, lines 61-64 and page 2, lines 1-6 and 21-23). One of ordinary skill in the art would have recognized the desire for the polymer film in Murayama to be laminated on the nonwoven fabric. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to macroemboss both the polymer film and nonwoven fabric in Murayama as suggested by Smith in order to bond the polymer film to the nonwoven fabric and provide a continuous pattern of embossing on the laminate. One of

ordinary skill in the art would clearly have been able to combine the teachings of Murayama and Smith, since both teach polymer film/textile sheet laminates for use in bandages. Accordingly, there is motivation for one of ordinary skill in the art to combine the teachings of Murayama and Smith.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Catherine Simone whose telephone number is (571) 272-1501. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Keith Hendricks can be reached on (571) 272-1401. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Catherine Simone/
Examiner, Art Unit 1794
March 20, 2008

/KEITH D. HENDRICKS/
Supervisory Patent Examiner, Art Unit 1794